

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl'n of:	Lassner et al.)
Serial No.:	09/549,848)))
Filed:	14 April 2000) Group Art Unit: 1638)
Title:	Nucleic Acid Sequences to Proteins Involved in Isoprenoid Synthesis) Examiner: C. Collins)
Atty Docket No.	REN-00-052-2)

The Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

REVOCATION OF PREVIOUS POWERS OF ATTORNEY AND APPOINTMENT OF NEW POWER AND CHANGE OF CORRESPONENDCE ADDRESS

In the matter of the above-entitled application, and all applications relating thereto (including parents, divisionals, and continuations), CALGENE LLC, through its undersigned authorized representative, hereby revokes all Powers of Attorney heretofore given and appoints the attorneys/agents listed below with full power of substitution, association and revocation, to prosecute said application, to make alterations and amendments therein, to receive the Letters Patent, and to transact all business in the Patent and Trademark Office connected therewith.

Dennis R. Hoerner, Jr., Registration No. 30,914 Brian K. Stierwalt, Registration No. 33,213 Donald J. Silvert, Registration No. 37,552 Lois Ruszala, Registration No. 39,074 Thomas E. Omholt, Registration No. 37,052 09/549,848 REN-00-052-2 Page 2

CALGENE LLC is the Assignee of the entire interest in and to said application by virtue of an assignment filed on December 4, 2002 (copy attached herewith).

Please direct all future correspondence to:

Renessen LLC Associate General Counsel - Intellectual Property 3000 Lakeside Dr., Suite 300-South Bannockburn, IL 60015

Phone: 847.457.5000

for CALGENE LLC

By:

Name: Brian K. Stierwalt

Title:

Assistant Secretary

(Rev. 10/02) PATENT	II S Patent and Trademark Office
OMB No. 0651-0027 (exp. 6/30/2005)	J J J
Tab settings ⇔ ⇔ ▼	Please record the attached original documents or copy thereof.
1. Name of conveying party(ies): Michael W. Lassner; Beth Savidge; Timothy A. Mitsky; James D. Weiss; and Martha Ann Post-Beittenmiller	Name and address of receiving party(ies) Name: Calgene LLC Internal Address:
Additional name(s) of conveying party(ies) attached? Yes VNo	
3. Nature of conveyance: Assignment Merger Security Agreement Change of Name Other Confirmatory Assignment	Street Address: 1920 Fifth Street
Nov 20, 2002; Nov 12, 2002; Nov 18, 2002; Nov 1, 2002; Execution Date: and Nov 4, 2002	City: Davis State: CA Zip: 95616 Additional name(s) & address(es) attached? Yes No
4. Application number(s) or patent number(s): If this document is being filed together with a new appli A. Patent Application No.(s) 09/549,848	cation, the execution date of the application is: B. Patent No.(s)
Additional numbers at	tached? Yes No
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Arnold & Porter Attn: IP Docketing Dept.; Room 1126B	6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 3.41)\$ Enclosed Authorized to be charged to deposit account
Street Address: 555 Twelfth Street, N.W. City: Washington State: DC Zip: 20004-1206	8. Deposit account number: 50-2387
	THIS SDACE
9. Signature.	THIS SPACE
Danielle M. Edwards (Agent Reg. No. 51,645) Name of Person Signing Total number of pages including cove	Signature /Date er sheet, attachments, and documents: 36

WHEREAS, I/we, Michael W. Lassner, Beth Savidge, James D. Weiss, Timothy A. Mitsky, and Martha Ann Post-Beittenmiller, have made certain invention or inventions which are disclosed in patent application(s) and/or provisional patent application(s) entitled:

Nucleic Acid Sequences to Proteins Involved in Tocopherol Synthesis identified as U.S. Application No. 09/549,848, filed April 14, 2000

WHEREAS, a prior assignment was executed by assignor Michael W. Lassner on February 21, 2002, by assignor Beth Savidge on February 25, 2002, by assignor James D. Weiss on February 22, 2002, by assignor Timothy A. Mitsky on February 14, 2002, and by assignor Martha Ann Post-Beittenmiller on February 14, 2002, which states that Calgene LLC, of Davis, California, a Corporation of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor; and

WHEREAS, a second prior assignment was executed by assignor Beth Savidge on April 25, 2002, by assignor James D. Weiss on April 23, 2002, by assignor Timothy A. Mitsky on April 25, 2002, and by assignor Martha Ann Post-Beittenmiller on April 26, 2002, which states that Calgene LLC, of Davis, California, a Corporation of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor; and

WHEREAS, it is the intent of Michael W. Lassner, Beth Savidge, James D. Weiss, Timothy A. Mitsky, and Martha Ann Post-Beittenmiller, as well as Calgene LLC, through this Confirmatory Assignment document, to confirm the assignment of said entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor to Calgene LLC;

inventions or improvements, and any and all continuing applications, including divisional, continuation and continuation-in-part applications, substitute applications, and applications claiming benefit of an earlier filed provisional application, which may be filed upon said invention, inventions or improvements in any country; and

I/We hereby confirm that we authorize and request the issuing authority to issue any and all patents on said application or applications to said Calgene LLC, as assignee of the entire interest.

I/We further confirm that we agreed, without any payment by Calgene LLC other than in reimbursement of reasonable expenses I/we may incur, to communicate to said Calgene LLC, its representatives or agents, any facts relating to said invention, inventions or improvements, including evidence for purposes of interference, opposition or other legal proceedings, whenever requested; testify in any interference, opposition or other legal proceedings, whenever requested; and execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective.

IN TESTIMONY WHEREOF, I/we have here signatures.	eto set our hands on the dates set after our
Signature: May Imm	Date: 11/20 /2002
Name: Michael W. LASSNER	
City and state or country of residence:	Foster City, California
State of <u>California</u>) State of <u>California</u>) Ss. County of <u>San Nutro</u>)	
County of San Natzo) ss.	
On this Ze day of November Michael M. Lasner, known to minstrument and acknowledged that he save executestimony whereof I have hereto set my hand and	te to be the person who executed the foregoing ted the same as his per free act and deed; in
•	
DIANE D. GLIOZZI Commission # 1215046 Notary Public - California San Mateo County My Comm. Expires Apr 4, 2003	Mine a). Slevza. ry Public or Consular Officer

My Commission expires

IN TESTIMONY WHEREOF, I/we have hereto set our hands on the dates set after our signatures.
Signature: Date:
Name: Beth SAVIDGE
City and state or country of residence: Davis, California
State of
On this, 2002, before me personally appeared, known to me to be the person who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.
(seal)
Notary Public or Consular Officer
My Commission expires

signatures.	• •
Signature:	Date:
Name: Timothy A. MITSKY	
City and state or country of residence:	Maryland Heights, Missouri
State of	
On this day of, known to minstrument and acknowledged that he/she executestimony whereof I have hereto set my hand and	ne to be the person who executed the foregoing ated the same as his/her free act and deed; in
(seal) Nota	ry Public or Consular Officer
My Commission expires	·

in lestimony whereor, I/we have signatures.	nereto set our	nands on the	e dates set after c)UF
			·	
Signature:	Date:			
Name: James D. WEISS				
City and state or country of residence	e: Kirkwoo	d, Missouri		
at .			•	
	,	•		
State of)				
(County of)	SS.		· .	
On this day of, known	2002, to me to be the	before me person who ex	personally appear xecuted the foregoi	ed ng
nstrument and acknowledged that he/she estimony whereof I have hereto set my hand	executed the san	ne as his/her	free act and deed;	
		-		
(seal)	7 11'	C 1 055		
	Notary Public or	r Consular Offi	icer	
My Commission expires				

signatures.			
Signature:		Date:	, ill property age
Name:	Martha Ann POST-BE	ITTENMILLER	
City and st	ate or country of residence	Manchester, Missouri	
State of			
County of)	SS.	
On this	_ day of, known	to me to be the person who ex	personally appeared ecuted the foregoing
instrument and ac	knowledged that he/she e	xecuted the same as his/her fi and official seal on the day last	ree act and deed; ir
	,		
(seal)		Notary Public or Consular Offic	er
My Commission e	expires		

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WHEREAS, it is the intent of Michael W. Lassner, Beth Savidge, James D. Weiss, Timothy A. Mitsky, and Martha Ann Post-Beittenmiller, as well as Calgene LLC, through this Confirmatory Assignment document, to confirm the assignment of said entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor to Calgene LLC;

inventions or improvements, and any and all continuing applications, including divisional, continuation and continuation-in-part applications, substitute applications, and applications claiming benefit of an earlier filed provisional application, which may be filed upon said invention, inventions or improvements in any country; and

I/We hereby confirm that we authorize and request the issuing authority to issue any and all patents on said application or applications to said Calgene LLC, as assignee of the entire interest.

I/We further confirm that we agreed, without any payment by Calgene LLC other than in reimbursement of reasonable expenses I/we may incur, to communicate to said Calgene LLC, its representatives or agents, any facts relating to said invention, inventions or improvements, including evidence for purposes of interference, opposition or other legal proceedings, whenever requested; testify in any interference, opposition or other legal proceedings, whenever requested; and execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective.

IN TESTIMONY V signatures.	WHEREOF, I/we ha	ave hereto	set our	hands on	the dates	set a	fter our
Signature:	·		Date:				_
Name:	Michael W. LASS	NER	·				
City and state	e or country of reside	ence:	Foster Ci	ty, Califor	mia		· ·
State of)	SS.					
County of)	55.					
On this		own to me	, 2002,	before n	ne person	ally a	ppeared regoing
instrument and ackr testimony whereof I	nowledged that he/sl	he execute	d the sam	ne as his/h	er free ac	t and o	leed; in
					•		
(seal)		Notary	Public or	Consular	Officer		
My Commission exp	oires		_				

Signature	e: Both Sant	Date: 11 12 02
N	Name: Beth SAVIDGE	• • • • • • • • • • • • • • • • • • •
C	City and state or country of residence:	Davis, California
		•
State of _	CALIFORNIA)	
County o	of Yolo) ss.	
On this	124 day of November	2002, before me personally appeared to be the person who executed the foregoing
instrumer testimony	nt and acknowledged that he/she execut	ted the same as his/her free act and deed; in official seal on the day last above written.
	STEVE BOSCHKEN	0000
(seal)	Comm. # 1209723 NOTARY PUBLIC - CALIFORNIA Yolo County My Comm. Expires March 1, 2003	ry Public or Consular Officer

My Commission expires MARCH 1,2003

(seal)

IN TESTIMONY WHEREOF, I/we have hereto set our hands on the dates set after our signatures.
Signature: Date:
Name: Timothy A. MITSKY
City and state or country of residence: Maryland Heights, Missouri
State of
On this, day of, 2002, before me personally appeared, known to me to be the person who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.
(seal) Notary Public or Consular Officer
My Commission expires

signatures.	
Signature:	Date:
Name: James D. WEISS	·
City and state or country of residence	e: Kirkwood, Missouri
State of)	22
County of)	SS.
On this day of, known	, 2002, before me personally appeared to me to be the person who executed the foregoing
instrument and acknowledged that he/she	executed the same as his/her free act and deed; in and official seal on the day last above written.
(seal)	Notary Public or Consular Officer
My Commission expires	·

ignature:		Date:	· · · · · · · · · · · · · · · · · · ·
Name:	Martha Ann POST-BE	ITTENMILLER	· · · · · · · · · · · · · · · · · · ·
City and st	ate or country of residence:	Manchester, Missouri	
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•	·		
tate of		SS.	
county of)		
n this	_ day of	to me to be the person who	personally appear
	knowledged that he/she e	xecuted the same as his/her	free act and deed;
estimony whereof	I have hereto set my hand	and official seal on the day la	ast above written.
eal)	5	The Paris of the Original Control of Control of Contro	
		Notary Public or Consular Of	ticer

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I/We hereby confirm that we authorize and request the issuing authority to issue any and all patents on said application or applications to said Calgene LLC, as assignee of the entire interest.

I/We further confirm that we agreed, without any payment by Calgene LLC other than in reimbursement of reasonable expenses I/we may incur, to communicate to said Calgene LLC, its representatives or agents, any facts relating to said invention, inventions or improvements, including evidence for purposes of interference, opposition or other legal proceedings, whenever requested; testify in any interference, opposition or other legal proceedings, whenever requested; and execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective.

IN TESTIMONY V signatures.	WHEREOF, I/w	e have heret	o set our	hands on th	ne dates set	after our
					•	
Signature:			Date:			
Name:	Michael W. L.	ASSNER				
City and state	e or country of re	esidence:	Foster Ci	ty, California	1	
	·					
State of)) ss.				
County of)				
On this	day of	known to me	_, 2002, to be the	before me person who e	personally executed the	appeared foregoing
instrument and ackr testimony whereof I	nowledged that l	he/she execut	ed the sam	e as his/her	free act and	deed; in
				_	•	
(seal)						
		Notar	y Public or	Consular Of	ficer	
My Commission exp	oires					

signatures.								
Signature:				Date:				·
Name:	Beth SAVII	DGE						
City and st	ate or country o	f residen	ıce:	Davis, (California		<u>_</u>	
State of))	ss.				:	
On thisinstrument and actestimony whereof	knowledged the	, know at he/she	vn to me e execut	e to be the	e person v me as hi	who exe s/her fre	cuted the e act and	toregoing deed; in
(seal)			Notar	y Public c	or Consula	ar Office	or	
My Commission e	expires							

Margaret J. Durham NOTARY PUBLIC-STATE OF MISSOURI MY COMMISSION EXPIRES APRIL 27, 2006

ST. LOUIS COUNTY

IN TESTIMONY WHEREOF, I/we have hereto set our hands on the dates set after our signatures.

Signa	ature: Jt a mits	Date:	11/18/02	
	Name: Timothy A. MITSK	Y		
	City and state or country of residen	ce: Marylar	nd Heights, Missouri	
		·		
State	of <u>Missouri'</u>) ity of <u>St. Lais</u>)	SS.	•	
Coun	ty of St. Louis)			
instru	this 18th day of Novey hathy A. Mitsky, known and acknowledged that he/she	vn to me to be the executed the sa	e person who executed the me as his/her free act ar	e foregoing nd deed; in
testin	nony whereof I have hereto set my ha	nd and official sea	al on the day last above wi	ritten.
Allere				
(seal)		Maragerel Notary Public o	July Consular Officer	_

My Commission expires

signatures.				*
Signature:		Date:		· ·
Name:	James D. WEISS	· · · · · · · · · · · · · · · · · · ·		•
City and st	tate or country of residence:	Kirkwood, Miss	souri	:
			-	·
State of)	_		
County of) ss	S.		
instrument and ac	day of, known to, known to, known to, known to cknowledged that he/she ex f I have hereto set my hand a	ecuted the same as h	nis/her free act an	d deed; in
(seal)	<u> </u>	Notary Public or Consu	lar Officer	
·				
My Commission	expires			

Signature:			Date:			
Name:	Martha Ann	POST-BEITTI	ENMILLE	R		
City and sta	ite or country of	residence:	Manche	ster, Missouri	<u>i</u>	
						•
State of)				
County of) ss.				
On this	_ day of	_, known to m	_, 2002, e to be the	before me	personally executed the	appeare foregoin
nstrument and aclestimony whereof	knowledged tha	t he/she execu	ted the sai	me as his/her	free act an	d deed; i
				-		
(seal)		Nota	ry Public o	r Consular Oi	fficer	
			y i done o			
My Commission ex	pires					

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signatures.	whereor, liwe have	nereto set our nands on the	dates set after our
		4	
Signature:		Date:	
Name:	Michael W. LASSNER	\.\.\.\.\.\.\.\.\.\.\.\.\.\.\.\.\.\.\.	*
City and sta	ate or country of residence	Foster City, California	
	•		
State of)		
County of)	SS.	
	, known knowledged that he/she e	, 2002, before me to me to be the person who executed the same as his/her	xecuted the foregoing free act and deed; in
testimony whereof	I have hereto set my hand	and official seal on the day las	t above written.
÷		•	
(seal)	-	7.11.	,
		Notary Public or Consular Offi	cer
My Commission e	xpires		•
		······································	

		•				
Signature:			Date:			_
Name	: Beth SA	VIDGE	7984 1741 3			
City a	nd state or countr	y of residence:	Davis,	California		٠
					·	
State of)				
County of) s	SS.			
On this	day of	known		before me	personally a	appeared
instrument ar	nd acknowledged ereof I have heret	that he/she ex	xecuted the sa	me as his/her	free act and	deed; ir
				·		
				,		
(seal)			Notary Public o	or Consular Off	icer	
Mv Commiss	ion expires					

signatures.

IN TESTIMONY signatures.	WHEREOF,	I/we have	hereto se	et our	hands on	the date	s set	after	our
Signature:			Da	ate:					
Name:	Timothy A.	MITSKY							
City and sta	ate or country o	f residence	: <u> </u>	aryland	l Heights,	Missouri			
State of)	SS.				•		
County of	· · · · · · · · · · · · · · · · · · ·)					,		
On this		, known	to me to	2002, be the	before n	ne person	nally ed the f	appea orego	red ing
instrument and acl testimony whereof	knowledged th	at he/she	executed t	he san	ne as his/l	ner free a	ct and	deed;	
(seal)									
	,		Notary Pu	ıblic or	Consular	Officer	_		
My Commission ex	xpires								

Signature: <u>Jam D. Weyn</u> Date: <u>///01/2002</u>
Name: James D. WEISS
City and state or country of residence: Kirkwood, Missouri
State of Missian) County of At Laure) ss.
On this IST day of November, 2002, before me personally appeared instrument and acknowledged that he/she executed the same as his/her free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.
(seal) Notary Public or Consular Officer Notary Public or Consular Officer
My Commission expires MAE OLIVASTRO SKUBIZ NOTARY PUBLIC, STATE OF MISSOURI NY COMMISSION EXFIRES AUGUST 4, 2004 ST. LOUIS COUNTY

signatures.

signatures.				
Signature:		Date:		 :
Name:	Martha Ann POST-BEI	TTENMILLER	· · · · · · · · · · · · · · · · · · ·	
City and sta	ate or country of residence:	Manchester, Mi	ssouri	
State of) s	S.		
instrument and ac	day of, known to knowledged that he/she extends f I have hereto set my hand	cecuted the same as l	nis/her free act an	d deed; in
(seal)	. <u>1</u>	Notary Public or Const	ılar Officer	
My Commission e	expires			

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signatures.	nereto set our nands on the dates	set after our
Signature:	Date:	
Name: James D. WEISS	÷	
City and state or country of residence	e: Kirkwood, Missouri	
		· .
State of	SS.	•
County of)		
On this day of, known	, 2002, before me persona to me to be the person who executed	ally appeared the foregoing
instrument and acknowledged that he/she testimony whereof I have hereto set my hand	executed the same as his/her free act	and deed; in
(N		
(seal)	Notary Public or Consular Officer	
My Commission expires	·	

Signature	Matles	Ry-But	Timel-	Date:	Nov. 4,	2002	
N	Jame:	Martha Ann I	POST-BEITTI	ENMILLER		<u></u>	
C	City and state	or country of	residence:	Manches	ter, Missour	<u>i</u>	
		•					
State of _	Missou	<u> </u>)				
County o	of <u>54.</u> C	uis) ss.)				
Mantha	Ann Post of ackn	day of Name of the control of the co	, known to m he/she execu	e to be the ted the san	person who ie as his/he	executed t r free act	he foregoing and deed; in
(seal)			Noda	y Lirk fy Public or	a Loa Consular O	nn officed	
My Com	mission exp	ires	•		Notary Put St.	TH A. LORENZ lic - State of Misso Louis County Expires: November	

signatures.